

REMARKS

In the August 8, 2007 Office Action, the specification were objected to, claim 19 was objected to and claims 1-19 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the August 8, 2007 Office Action, Applicants have amended the specification and claims 1-7, 10, 14-15 and 17-19, and canceled claims 9 and 11-13 and added new dependent claim 20, as indicated above. Thus, claims 1-8, 10, 14, 15 and 17-19 are pending, with claim 1 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Specification

In paragraph 3 of the Office Action, the specification was objected to for having a description that did not match the depiction in Figure 11(a). In response, Applicants have amended page 19 of the specification. Withdrawal of the objections is respectfully requested.

Claim Rejections - 35 U.S.C. §112

In paragraph 4 of the Office Action, claim 19 was objected to due to a typographical error in the pendency of the claim. Claim 19 has now been amended to depend from claim 3. Withdrawal of the objection is respectfully requested.

Rejections - 35 U.S.C. § 102

In paragraphs 6-17 of the Office Action, claims 1-4, 6-14, 16, 18 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by GB Patent Document No. 2 260 830 (GB '830). In response, Applicants have amended independent claim 1 to clearly define the present invention over the prior art of record.

Support for the amendments to claim 1 can be found on page 11, lines 3-13.

In particular, independent claim 1 has been amended to recite that a control unit of an air conditioning system includes memory storing ***a plurality of predetermined operational settings*** corresponding to control of the air flow direction of the air deflector, the control unit being operatively coupled to the air conditioning mechanism and configured to selectively operate the air conditioning mechanism in ***any one of the plurality of operation modes*** including a powerful operation mode whereby heat exchanging operation of the air conditioning mechanism is temporarily increased. Claim 1 goes on to require that the control unit is further operatively coupled to the air deflector to selectively adjust the air flow direction of the air deflector to a corresponding one of the predetermined operational settings for control of the air flow direction of the air deflector when the powerful operation mode command is selected.

The above requirements of claim 1 are ***not*** disclosed or suggested by GB '830 or any other prior art of record. Rather, GB '830 discloses a system which uses a sensor to detect the location of persons in a space and change air flow direction in response to detecting the location of those persons. GB '830 fails to disclose a control unit that is operatively coupled to an air deflector to selectively adjust the air flow direction of the air deflector to a corresponding one of the predetermined operational settings for control of the air flow direction of the air deflector when the powerful operation mode command is selected.

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. GB '830 fails to disclose each and every element of the claimed invention. Therefore, Applicants respectfully submit that claim 1, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that the dependent claims 2-8, 10 and 14-20 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 2-8, 10 and 14-20 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In paragraphs 19-20 of the Office Action, claims 5, 15 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over GB '830 in view of an alternate embodiment depicted in Fig. 9 of GB '830. In response, Applicants have amended independent claim 1 as mentioned above.

Applicant incorporates herein the arguments set forth above with respect to the rejection of claim 1 under 35 U.S.C. §102. Applicant respectfully asserts that the above arguments apply equally to the 35 U.S.C. §103(a) rejection. Specifically, GB '830 fails to disclose or suggest a control unit that is operatively coupled to an air deflector to selectively adjust the air flow direction of the air deflector to a corresponding one of the predetermined

operational settings for control of the air flow direction of the air deflector when the powerful operation mode command is selected.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art provides an *apparent reason* for the desirability of the modification. Accordingly, the prior art of record lacks any apparent reason, suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of a control unit for an air conditioner set forth in amended independent claim 1.

Rather, GB '830 teaches away from the claimed invention because a sensor is required for determining direction of air flow in each embodiment disclosed.

Moreover, Applicants believe that the dependent claims 2-8, 10 and 14-20 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 2-8, 10 and 14-20 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 1, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

Prior Art Citation

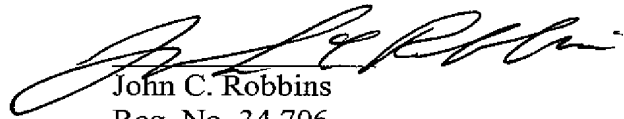
In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

Appl. No. 10/573,586
Amendment dated October 24, 2007
Reply to Office Action of August 8, 2007

* * *

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-8, 10 and 14-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


John C. Robbins
Reg. No. 34,706

SHINJYU GLOBAL IP COUNSELORS, LLP
1233 Twentieth Street, NW, Suite 700
Washington, DC 20036
(202)-293-0444

Dated: Oct 24, 2007

S:\Appls Daikin\DK-US030767\DK-US030767 amendment IOA.doc